

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>5/7/2025</u>
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SHIRLEY A. DIMPS-HALL,

Plaintiff,

-v-

EMPLOYEE BENEFIT PLAN ADMINISTRATION
COMMITTEE HSBC - NORTH AMERICA,

Defendant.
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25-cv-00421 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

Plaintiff Shirley A. Dimps-Hall moves for an order permitting “full discovery” in this matter and compelling Defendant to produce to her the following documents in connection with her claim under the Employee Retirement Income Security Act of 1974: (1) the Denial Letter, (2) the Summary Plan Description, (3) Annual Reports filed on Form 5500, (4) Trust Agreements or Contracts governing the pension plan’s administration, and (5) the administrative record in this case. Dkt. No. 28. The motion is granted in part and denied in part.

By order of April 24, 2025, the Court stayed discovery in this matter pending a decision on Defendant’s motion to dismiss. Dkt. No. 26. The motion to dismiss was filed on March 28, 2025. Dkt. No. 12. The Court gave Plaintiff until May 23, 2025 to supplement her response to Defendant’s motion to dismiss and Defendant until June 6, 2025, to reply to Plaintiff’s opposition to the motion to dismiss. *Id.* At the same time, the Court ordered Defendant to produce to Plaintiff a copy of the full administrative record in this case by no later than May 9, 2025. *Id.*

Defendant is ordered to include the Summary Plan Description and the Denial Letter in its production of the administrative record on May 9, 2025. Although Defendant points out that

Plaintiff already has these documents, Dkt. No. 31 at 2, it would facilitate the fair and efficient administration of this case for Defendant to send the Plaintiff, who is self-represented, copies of those documents to ensure that the copies that the Defendant relies upon are identical to those in Plaintiff's possession. There is no need for a further order with respect to the administrative record. The Court has already ordered that the record be produced. Plaintiff has not made a showing at this point of the relevance of the remainder of the documents to the Court's consideration of Defendant's motion to dismiss, which is based on the administrative record. Accordingly, to the extent that Plaintiff seeks "full discovery" and documents other than the administrative record, the Summary Plan Description, and the Denial Letter, the motion is denied.

The Clerk of Court is respectfully directed to mail a copy of this Order to the pro se Plaintiff and to close the motion at Dkt. No. 28.

SO ORDERED.

Dated: May 7, 2025
New York, New York

A handwritten signature in black ink, appearing to read 'L. Liman', is written over a horizontal line.

LEWIS J. LIMAN
United States District Judge